General Assembly

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Resolution adopted by the General Assembly

[*on the report of the First Committee (A/64/391)*]

64/39. Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty)

The General Assembly,

Recalling its resolution 62/31 of 5 December 2007, entitled "Treaty on the South-East Asia Nuclear-Weapon-Free-Zone (Bangkok Treaty)",

Welcoming the desire of the South-East Asian States to maintain peace and stability in the region in the spirit of peaceful coexistence and mutual understanding and cooperation,

Noting the entry into force of the Charter of the Association of Southeast Asian Nations on 15 December 2008, which states, inter alia, that one of the purposes of the Association is to preserve South-East Asia as a nuclear-weapon-free zone, free of all other weapons of mass destruction,

Noting also the convening of the second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia,

Reaffirming its conviction of the important role of nuclear-weapon-free zones in strengthening the nuclear non-proliferation regime and in extending the areas of the world that are nuclear-weapon-free, and, with particular reference to the responsibilities of the nuclear-weapon States, calling upon all States to support the process of nuclear disarmament and to work for the total elimination of all nuclear weapons,

Convinced that the establishment of a South-East Asia Nuclear-Weapon-Free Zone, as an essential component of the Declaration on the Zone of Peace, Freedom and Neutrality, signed in Kuala Lumpur on 27 November 1971, will contribute towards strengthening the security of States within the Zone and towards enhancing international peace and security as a whole,

Noting the entry into force of the Treaty on the South-East Asia Nuclear-Weapon-Free Zone on 27 March 1997[1] and the tenth anniversary of its entry into force in 2007,

[1] United Nations, *Treaty Series*, vol. 1981, No. 33873.

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Welcoming the reaffirmation of South-East Asian States that the South-East Asia Nuclear-Weapon-Free Zone shall continue to play a pivotal role in the area of confidence-building measures, preventive diplomacy and the approaches to conflict resolution as enshrined in the Declaration of the Association of Southeast Asian Nations Concord II (Bali Concord II),[2]

Reaffirming the inalienable right of all the parties to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with the Treaty on the Non-Proliferation of Nuclear Weapons,[3]

Recognizing that by signing and ratifying the relevant protocols to the treaties establishing nuclear-weapon-free zones, nuclear-weapon States undertake legally binding commitments to respect the status of such zones and not to use or threaten to use nuclear weapons against States parties to such treaties,

Recalling the applicable principles and rules of international law relating to the freedom of the high seas and the rights of innocent passage, archipelagic sea lanes passage or transit passage of ships and aircraft, particularly those of the United Nations Convention on the Law of the Sea,[4]

1. *Welcomes* the commitment and efforts of the Commission for the Treaty on the South-East Asia Nuclear-Weapon-Free Zone to further enhance and strengthen the implementation of the Bangkok Treaty[1] by implementing the Plan of Action for the period 2007–2012, adopted in Manila on 29 July 2007, and the recent decision of the Association of Southeast Asian Nations Political-Security Community Council, established under the Charter of the Association, to give priority to the implementation of the Plan of Action;

2. *Encourages* States parties to the Treaty to resume direct consultations with the five nuclear-weapon States to resolve comprehensively, in accordance with the objectives and principles of the Treaty, existing outstanding issues on a number of provisions of the Treaty and the Protocol thereto;

3. *Encourages* nuclear-weapon States and States parties to the Treaty to work constructively with a view to ensuring the early accession of the nuclear-weapon States to the Protocol to the Treaty;

4. *Underlines* the value of enhancing and implementing further ways and means of cooperation among nuclear-weapon-free zones;

5. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty)".

55th plenary meeting
2 December 2009

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[2] A/58/548, annex I.

[3] United Nations, *Treaty Series*, vol. 729, No. 10485.

[4] Ibid., vol. 1833, No. 31363.